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New York

President:	Mr. Burleigh	(United States of America)
Members:	Bahrain	Mr. Buallay
	Brazil	Mr. Amorim
	China	Mr. Qin Huasun
	Costa Rica	Mr. Sáenz Biolley
	France	Mr. Dejammet
	Gabon	Mr. Dangue Réwaka
	Gambia	Mr. Jagne
	Japan	Mr. Satoh
	Kenya	Mr. Mahugu
	Portugal	Mr. Monteiro
	Russian Federation	Mr. Lavrov
	Slovenia	Mr. Türk
	Sweden	Mr. Dahlgren
	United Kingdom of Great Britain and Northern Ireland	Mr. Eldon

Agenda

Protection for humanitarian assistance to refugees and others in conflict situations

98-86350 (E)

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The meeting was called to order at 10.45 a.m.

Adoption of the agenda

The agenda was adopted.

Protection for humanitarian assistance to refugees and others in conflict situations

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council decides to extend an invitation under rule 39 of its provisional rules of procedure to Mrs. Sadako Ogata, United Nations High Commissioner for Refugees.

There being no objection, it is so decided.

I welcome Mrs. Ogata and invite her to take a seat at the Council table.

The Security Council will now begin its consideration of the item on its agenda. The Council is meeting in accordance with the understanding reached in its prior consultations.

At this meeting, the Security Council will hear a briefing by the United Nations High Commissioner for Refugees. The fact that the briefing is being given in a public meeting of the Council is a further reflection of the intention of the Council members to continue to enhance the transparency of the methods of work of the Council. In this regard, I would particularly like to acknowledge that this was a suggestion from our Brazilian colleague, Ambassador Amorim.

In order to maintain the utility of this session and out of respect for time constraints, it has been agreed that we will confine interventions to members of the Council. I would also ask colleagues to keep in mind that we have only an hour and a half of Mrs. Ogata's time. I would like to enable all Council members to ask questions, and Mrs. Ogata to respond, in that time-frame.

I now give the floor to Mrs. Sadako Ogata, United Nations High Commissioner for Refugees, to whom the Council has extended an invitation under rule 39 of its provisional rules of procedure in order to brief the Council.

Mrs. Ogata (United Nations High Commissioner for Refugees): Thank you for inviting me to address the Security Council. Since I last briefed the Council, in April, it has frequently dealt with crises causing humanitarian and refugee problems. While the intensification of such crises is worrying, I welcome the Council's attention and interest. In our work on behalf of refugees and other victims of forced displacement, we are increasingly involved in conflict situations or in situations immediately following the end of conflicts. We are also exposed to a great variety of security threats — Vincent Cochetel, the head of the Office of the United Nations High Commissioner for Refugees (UNHCR) sub-office in Vladikavkaz, in the Russian Federation, was kidnapped in January and has now spent more than nine months as a hostage. I therefore welcome the Council's recent discussions on the need to better ensure the protection of humanitarian operations. As I have said very often, the safety and security of humanitarian workers and of the people whom they protect and assist can be guaranteed only by broader political efforts. To have it recognized and discussed by the Security Council is therefore an important step in the right direction.

Unfortunately, conflicts forcing civilians to flee are increasing, both in number and in intensity. This slows down and sometimes completely blocks solutions to refugee problems. Even when political settlements are reached and problems of displacement are resolved through voluntary return, the peace thus established can at best be described as fragile. From our perspective, the increasingly blurred lines between war and peace and the necessity to reach out to victims of forced displacement across those lines make the protection of refugees and returnees a more complex exercise than ever before.

Nowhere in the last few months has my Office dealt with the direct relationship between conflict and displacement more than in Kosovo. When I briefed the Council in April, I expressed my concern about the risk of large-scale displacement of civilians within the province and across its borders. While international efforts could not prevent a major refugee crisis, which observers had predicted for years, in the last few weeks they have at least been able to contain the conflict, define minimum conditions to restore the security of civilians and establish a framework aimed at verifying compliance with such conditions.

This has indeed encouraged almost all people displaced within Kosovo to return, often to find their homes destroyed and their property looted. Few people remain in the open. It is not likely, however, that any significant return will occur before spring 1999 from

other countries, including Montenegro, Albania and the former Yugoslav Republic of Macedonia, which together host approximately 65,000 refugees from Kosovo. Of course, further returns are also based on the assumption that the ceasefire will hold. Given the fragility of the situation, we are not promoting repatriation for the time being, but will of course provide support, if necessary, to those voluntarily choosing repatriation.

Security considerations remain overriding in the minds of all those affected by the conflict. There has been considerable withdrawal of police and military forces, but it is essential that further progress be made and that any presence of forces that can be an obstacle to return, or a potential threat thereafter, be withdrawn as a matter of priority. Because the situation is likely to remain fragile in the next few, crucial weeks, it is literally vital — I repeat, vital — that staff of the Kosovo Diplomatic Observer Mission and then of the Kosovo Verification Mission be deployed to the most critical locations as soon as possible. It is very important that monitoring the security and treatment of civilians not be limited to returnees, but apply to all those affected by the conflict. In addition to physical protection, there is also a need for legal guarantees; we are promoting the adoption of an amnesty to provide a critical further element of confidence.

UNHCR has considerably strengthened its presence in Pristina and in three satellite offices. We have been able to deploy about 70 staff in Kosovo alone. Time is of the essence, considering that winter will make logistics very difficult in some areas. We are therefore concentrating on the main humanitarian priority, which is to help those without winter-proof shelter find it as soon as possible, preferably in their own homes. We estimate at 20,000 the number of houses to be rebuilt or repaired.

UNHCR's role as lead humanitarian agency must remain clearly distinct from that of the verifiers. Theirs is a political mission. Our tasks, however, are closely related, and we are fully committed to ensuring our cooperation with the verifiers. We have established a close liaison with the Organization for Security and Cooperation in Europe and its verifiers as well as with the North Atlantic Treaty Organization (NATO) Air Verification Mission. We are also taking part in the training of the verifiers.

If fully implemented, the mechanism of the international involvement in Kosovo will facilitate the return of refugees and displaced people and may help create favourable conditions for a lasting political settlement and the establishment of a durable peace. From a humanitarian perspective, such a mechanism may also constitute a model framework within which to address problems of human displacement.

In the past, I briefed the Security Council on the excruciating dilemmas we had to confront in Bosnia and the former eastern Zaire. The situation in Kosovo could have presented us with similar dilemmas. Working within the framework of a larger international involvement — with political support, in simple words — may avert this risk. In Kosovo, there is now an opportunity for humanitarian action not to unwittingly contribute to prolonging a conflict, but, as a component of a larger peace-building effort, to achieve its primary objective of protecting and assisting civilian victims. If it is successful, I hope that the international involvement in Kosovo can become a useful precedent to be replicated in other situations.

But let me be realistic. Decisive international involvement is not the norm today. Indeed, in most other situations where we have to deal with the humanitarian consequences of conflicts, we cannot count on the same level of organized political support as in Kosovo. Where peace efforts are insufficient or ineffective, the ability of humanitarian agencies to help refugees, returnees and other victims of conflict is greatly diminished. I am thinking of Afghanistan, for example, or of southern Sudan. In these situations, it is very difficult to address the immediate humanitarian problems caused by actual population displacement, let alone contribute to the prevention of fresh population movements.

Let me turn to Africa, which offers the most dramatic examples of this difficulty. Some factors have directly contributed to the blocking of solutions to refugee problems in the continent: first, a trend towards increased violence against civilians, of which mutilations and killings by rebel forces in Sierra Leone have been the most horrifying example; secondly, a strong ethnic component in some conflicts, particularly in the Great Lakes region; and thirdly, the regionalization of military action. Because these trends are very evident, in different ways, in Central and West Africa, I will focus my presentation on those two regions.

In Central Africa, war and human displacement have become so complex, and their ramifications and interrelations so wide, that I hesitate to refer simply to a "Great Lakes" crisis. Between 1993 and 1996, displacement problems were essentially refugee situations. In 1996 and 1997, the focus was on

repatriation, particularly of Rwandan refugees. Today, refugee situations persist — the largest group being the 260,000 Burundi refugees still in Tanzania — but there is a growing mixture of refugee flows, internal displacement and repatriation movements.

The lack of an immediate solution to the unresolved conflict in the Democratic Republic of the Congo is the most worrying element in the Central African context. Although this war has produced relatively limited refugee outflows so far — a new group of about 20,000 Congolese has fled to Rwanda and Tanzania — further displacement on a large scale, and notably internal displacement, is a very real risk, already affecting North and South Kivu.

Because of the traditional link between war and displacement in this area, I am extremely worried by the regionalization of the war in Congo and by its proximity to other conflicts — Angola, for example, where another peace process is collapsing, and where hundreds of thousands of people have been recently displaced. Peace processes within Burundi and Rwanda, themselves very difficult and painful exercises, are undoubtedly made more fragile by the Congolese conflict. In Rwanda, the Government has recently appealed for assistance to meet the needs of hundreds of thousands of internally displaced people — many of whom are recent returnees — in the northwest, an area where insecurity is closely linked to events across the border with Congo.

In the Central African Republic last week, after some Rwandans hosted in a refugee camp threatened to use violence against the local police, the Government ordered the deportation of all Rwandans to the Democratic Republic of the Congo. We are discussing with the authorities how to deal with this complex issue in a manner that is respectful of humanitarian principles but which takes into account the Government's security concerns. UNHCR, however, cannot assist in transporting people, and particularly those among them who are refugees, to a situation of conflict, where some of them may be recruited to fight.

On the other hand, in a simultaneous but separate development, a camp hosting Sudanese refugees, also in the Central African Republic, has come under attack by armed groups from southern Sudan. Two refugees were killed, and humanitarian workers were threatened. With the support of the United Nations Mission in the Central African Republic, 30 Government troops were flown to the site yesterday. This episode follows similar attacks on Sudanese refugee villages in the north-east of the Democratic Republic of the Congo. Sixty thousand refugees fled from this area. I am extremely concerned that we have no information about the majority of those who have disappeared.

Given the complex, interrelated nature of these problems, the search for solutions must have a strong regional approach and address the issue of forced population movements. The efforts of the Southern African Development Community to stop the conflict in the Democratic Republic of the Congo must be given stronger support and encouragement, with the aim of setting up a comprehensive and effective framework for peace in Central Africa.

Forced population movements have plagued this region for decades and have been one of the main causes of insecurity in the last few years. From my perspective, therefore, a peace framework for Central Africa should ensure that ethnic and nationality problems are addressed as a matter of priority; otherwise, if ethnic tensions are allowed or even encouraged to simmer, people may flee again in massive numbers.

In a region affected by several conflicts in the last few years, another issue that needs to be urgently addressed is the disarmament and demobilization of ex-combatants. We should not forget that the conflict in the Congo has among its causes the catastrophic effects of the Rwandan refugee crisis. At the regional ministerial meeting on refugees that the Organization of African Unity and UNHCR jointly convened in Kampala in May, Central African States agreed to respect refugee protection and humanitarian principles, but insisted on the need to address the impact of large-scale population movements on the economy and the environment, but especially on national security. We must act before we reach a situation in which not only humanitarian principles, but also peace and security, are threatened again by population movements of a mixed nature.

In West Africa this year the crises in Sierra Leone and Guinea-Bissau forced hundreds of thousands of people to flee their homes. Half a million Sierra Leonean refugees have put an enormous additional burden on countries that have generously given asylum to refugees for years, in spite of their limited resources. There are 350,000 refugees in Guinea alone. Liberia, a country emerging from years of war, hosts almost 90,000 Sierra Leonean refugees.

Both in Sierra Leone and in Guinea-Bissau conflicts have ended thanks mostly to regional efforts. Peace must now be consolidated in both countries. This will be a particularly difficult exercise in Sierra Leone, where unprecedented levels of violence were reached during the conflict and where fighting continues in some border areas not yet under the full control of the Government and the Economic Community of West African States (ECOWAS) Monitoring Group (ECOMOG).

The return of refugees and internally displaced people must be an essential component of peace-building in all these countries; it must be well-planned and well-supported, and must include a reintegration component. The Sierra Leonean Government, in particular, must be encouraged to establish a dialogue between the affected communities. Without reconciliation, peace efforts will be fruitless. UNHCR stands ready to play its role in the repatriation of Sierra Leoneans and to complete the repatriation of Liberians. In order to promote return and repatriation, and indeed a durable peace in West Africa, countries in the region must also begin to closely consult among themselves.

West African countries, through the harsh experiences of many conflicts, have been striving to build a regional capacity for conflict resolution. These efforts require more international support. On our side, we have established closer ties with ECOWAS. On the broader level, more substantive logistical and other material support must be provided to ECOMOG, whose presence continues to be necessary in Liberia and Sierra Leone. A well supported and truly multinational ECOMOG is indispensable to the peace and security of a region that has already had its share of violence and refugees, and may provide a useful model for similar arrangements in other regions of Africa.

I could speak of several other situations in which the absence or collapse of a stable peace makes it very difficult for UNHCR to seek solutions to refugee problems — which, I wish to remind the Council, is a fundamental component of my mandate. But I do not wish to limit this presentation to a list of problems. I prefer to look ahead, and suggest a few issues on which we can move forward. I stress "we" because, although resolving conflicts is an eminently political task, and although my responsibilities are clearly limited to the humanitarian sphere, they can be carried out only with political support. Let me add that conflict-resolution efforts can in turn benefit from well-planned, timely and effective humanitarian action.

I would like to indicate three areas on which we can focus together. First, the complexity of war and the fragility of peace in many parts of the world mean that new outflows of refugees, or movements of internally displaced people, can happen at any time. I am extremely concerned, for example, by the possibility of renewed conflict in the Horn of Africa, a region traditionally prone to large-scale population displacement, or in Central Asia, where efforts to build the local capacity to deal with refugee and migrant movements have not eliminated the risk of forced displacement. My request to the Council is that when it discusses ongoing or potential conflicts it not overlook the human displacement factor, which — as events have abundantly proved — is often an effect, but can also be a cause, of conflict.

On our part, we shall continue to address refugee and returnee emergencies as promptly and effectively as possible, not only by deploying human and material resources to respond to actual crises, but also by improving preparedness measures and adapting them to new situations. Earlier this year, for example, we were asked to make contingency plans for a possible outflow from Iraq. In May, unrest in Indonesia prompted us to dispatch emergency-preparedness teams to neighbouring countries. Although in these cases a crisis was, fortunately, averted, we remain prepared in both regions. We also stand ready to provide training and advice to Governments and non-governmental agencies in countries prone to refugee influxes, as we did in South-East Asia. Building our emergency capacity has been one of my foremost priorities. I continue to attach the greatest importance to this aspect of our work, and, with the Council's help, I intend to maintain and improve our ability to prepare and respond to refugee emergencies.

Secondly, we must focus more concretely on the relationship between security problems and humanitarian situations. I am talking of insecurity affecting humanitarian operations as a whole — of refugees or returnees, of communities hosting or receiving them, as well as of international and national staff working with them.

The Secretary-General's report to the Security Council on Africa clearly identified this problem as a real threat to peace and security. It recommended that my Office cooperate with the Department of Peacekeeping Operations in drawing up proposals for the establishment of international mechanisms to assist Governments in maintaining the security and humanitarian nature of refugee camps and settlements. In commenting on the

report before the Council then, I said in July that our preferred approach was to develop a "ladder" of options: from the "soft" option of providing training and support for the building of national law enforcement capacity, to "medium" alternatives of deploying international civilian or police monitors, to the "hard" international peacekeeping solution — with a preference, however, for subregional arrangements. Together with the Department of Peacekeeping Operations, we have developed a set of proposals.

Let me express my strong hope that the continued interest of the Security Council in this issue will help turn proposals into concrete mechanisms. While we can continue to work on the "soft" options — and we are indeed already applying them in certain refugee situations, for example, in Kenya or Tanzania — and while multinational peacekeeping solutions require Security Council approval, I would like to focus the Council's attention on the "medium" options involving, for example, deployment of police or other supervisory forces in support of local law enforcement mechanisms. "Medium" options and subregional peacekeeping may be the most viable solutions in many situations, but they require the support and active involvement of Governments, so that standby arrangements can be put in place.

In the past, UNHCR and its partners often faced intractable situations alone. I do not want this to happen again — hence the importance of establishing concrete mechanisms soon, with well-defined procedures to activate them. As a user of such mechanisms — on behalf of refugees — I would like to be aware of which type of security support I can count upon in case of need. Predictability is crucial to the effectiveness of any security mechanism.

Thirdly, I believe we must pay much more attention to post-conflict situations. If war has changed, so has peace. In our work in support of refugee repatriation, we often deal with people who have fled a conflict and have now returned to live with others who may have been on the opposite side of the same conflict. In current post-conflict situations, the return of refugees, necessary as it may be to the peace-building process, often complicates it. We see this in Bosnia and Herzegovina, Croatia and the Federal Republic of Yugoslavia, where 1.8 million people remain uprooted and where minority returns continue to face serious political, administrative and security obstacles. We see it in Rwanda, where 25 per cent of the population are recent returnees and where — while humanitarian assistance dries up for lack of funds — development activities do not start, given the precarious political and security situation and the limited capacity of the Government. This may further weaken a very fragile peace.

I am, of course, aware that the transition from war to peace is a very complex problem, much broader than issues of human displacement. The large-scale return of refugees and displaced people, however, is very often a key element of post-conflict situations. When peace is negotiated, more attention must therefore be paid to creating conditions for the peaceful coexistence of divided communities. Rehabilitation and reconciliation activities are fundamental elements of peace-building and must be planned and implemented much sooner, while humanitarian agencies, such as my Office, concentrate on their areas of expertise — helping people return and be reintegrated in their communities.

The example of Bosnia and Herzegovina, however, clearly shows that reconciliation is also a political process. The resolve of the international community to promote minority returns as an essential component of the Dayton Peace Accords should not be weakened by its parallel efforts in Kosovo. I had declared 1998 the year of minority returns, but this has been less successful than we hoped. A significant number of minority returns must therefore occur in 1999, and I welcome the commitment of the international community, expressed by the High Representative, to achieve a substantial breakthrough in this respect. The willingness of national and local authorities to restore intercommunal dialogue is indispensable, but so is a positive attitude by the people concerned. This is perhaps the greatest challenge of the return of refugees to situations of fragile peace, in Bosnia and elsewhere — and, I would add, of post-conflict situations in general: that peaceful coexistence be accepted by divided communities living together again, rather than simply be enforced upon them.

Humanitarian challenges, more than ever, are closely linked to the Council's efforts in bringing unresolved conflicts to an end and in maintaining peace in countries and regions emerging from war. My Office is ready to play its role in dealing with the humanitarian aspects of these situations: helping refugees and other people displaced by war and assisting those who are no longer displaced, but who must rebuild their lives. In doing so, we can be successful only if Governments understand our problems and cooperate with us. I count on the Security Council to promote their vital support.

The President: I thank Mrs. Ogata for her comprehensive briefing and her intellectually stimulating presentation.

I shall now give the floor to the members of the Council.

Since we are embarking on a new procedure today, I want to remind colleagues that, since this is a briefing, we will be opening the floor for questions and brief comments, as opposed to our usual statements.

Mr. Lavrov (Russian Federation) (*interpretation from Russian*): I am glad to welcome Mrs. Ogata once again to the Security Council.

I have two comments and two questions. My first comment is very simple: we share your assessment, Mr. President, of the briefing which was just given to us by Mrs. Ogata, and we reaffirm our support for the activities of the Office of the United Nations High Commissioner for Refugees (UNHCR).

My second comment regards the subject with which Mrs. Ogata began her statement — namely, the fate of the regional representative of UNHCR in the Northern Caucasus, Mr. Cochetel. We have already discussed this question with Mrs. Ogata today at our meeting with her, and I wish to reaffirm that the Russian Government is doing everything necessary in order to ensure the release of Mr. Cochetel as speedily as possible. We spoke in detail about efforts in this area when Under-Secretary-General Sergio Vieira de Mello was in Moscow recently, and we are counting on this question's being resolved in the very near future.

Now I wish to ask my two questions. We have heard today that the problem of the refugees and displaced persons in Kosovo — which we hope will be successfully resolved — should not force us to forget about the problems of refugees in other countries in the territory of the former Yugoslavia, where there are an enormous number of people still unable to return to their homes.

Mrs. Ogata has already noted that the process of the return of the refugees — in particular, the return of the national minorities — is not going very quickly. We encourage UNHCR and, naturally, the High Representative, to do everything possible to speed up this process. This is important not only for Bosnia, but also for Croatia, in the territory of Eastern Slavonia.

Therefore, my question is, as the problem of the mass return has not yet been resolved, what is the situation regarding rendering international assistance to those countries in whose territory there continue to be hundreds of thousands of refugees? Are there sufficient means for that? And, if not, then why not? Perhaps there is a need to appeal to donors for additional support here.

My second question is the following: Mrs. Ogata spoke of the existence of the "soft" option for action in conflict situations, of the possibility of the establishment of United Nations peacekeeping operations and of the "medium" option by which the regional organizations could deploy their peacekeeping operations. I agree that all of these options need to be taken fully into account, and I am sure that when necessary, the Security Council will support each of these three options.

Recently, however, voices spoke up in favour of what we might perhaps call the fourth option. Statements have been made to the effect that the humanitarian crisis in a given country in itself is already sufficient grounds for unilateral armed intervention, without any kind of decision by the Security Council. As regards the political and international legal implications of such statements, we understand the sense here that this is a totally unacceptable approach, running counter to all the bases of the existing system of international relations. I would like to know — regarding the humanitarian aspect of this problem — whether there are possibilities now for Mrs. Ogata to say what might be the humanitarian consequences in case such ideas of unilateral humanitarian interference with the use of force were implemented, regardless of the existence of decisions of the Security Council. What might be the consequences for the humanitarian situation and for operations of the humanitarian agencies?

Mr. Amorim (Brazil): It is indeed a very positive initiative that we are meeting today to listen to Mrs. Ogata in an open format. I think that corresponds to the desire for transparency not only of the members of the Council, but also of the United Nations Members outside the Council. I have to commend you, Sir, for taking this very important initiative and also thank Mrs. Ogata for agreeing to talk with us under this format.

If I may be allowed this brief comment, this is all the more important as we know that, even in the statute of the Office of the United Nations High Commissioner for Refugees (UNHCR), the Security Council is supposed

to receive policy directions from the General Assembly and the Economic and Social Council. Of course, we do recognize, as the subject today shows, the interrelation between security matters and refugee and humanitarian questions. It is very appropriate that we deal with this interrelation in this forum, but it is also very positive that we do it in an open fashion.

Concerning this division of labour, I would also like to make a quick comment on the perception of some that there is an automatic correlation between the notion of collective responsibility and the concept of collective security in the humanitarian field. I would like to note in this regard the statement made by Mrs. Ogata on 5 October, in which she said that the prevalence of the use of military force over political negotiations slows down or even blocks solutions to refugee problems. I think we see these questions very much in the same light and, as I said, although recognizing that there is this interrelation, her explanation today showed us that the refugee problem may be not only a consequence of armed conflict, but also a cause. So it is very appropriate that the Security Council and the departments of the Secretariat, including the Department of Peacekeeping Operations, can work together with UNHCR to solve these aspects of these questions.

If we look into the long term — if we look, for instance, into what Mrs. Ogata has described as a global solidarity agenda for the next millennium, which of course we support and call on all the other members of the Council to support — I think it is also crucial to look into what she mentioned today in relation to long-term peace-building efforts.

In this connection, I also have two questions. One relates to the former Yugoslavia. She very appropriately mentioned the question of amnesty in relation to the Kosovars in the Kosovo province of Serbia. In this connection, and going a little further, I would ask if, in situations which are not at a crisis point, as they are now in the case of Kosovo, further confidence-building measures can be looked into. I am referring to a programme of education and cultural efforts to really bring these ethnic groups together as much as possible. In other words, what I am asking is whether UNHCR could work together with other organizations, such as the United Nations Development Programme (UNDP), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and others, in really building a culture of peace in order to make it possible to tackle these problems in the long run.

I think that the same problem is also central to the question of Africa. The cooperation of UNHCR with other organizations and support for UNHCR by other entities of this Organization are crucial. When we look at the figures in Guinea-Conakry, with 300,000 refugees and the prospect of having these people returning to their countries in a difficult reintegration process, again I think these are tasks that probably go beyond the means and the possibilities of UNHCR. So I would also like to ask Mrs. Ogata to comment on the possibility of cooperation with other organizations, including such organizations as the World Bank and UNDP, possibly under the supervision of the General Assembly or the Economic and Social Council, for the peace-building efforts in this area.

Mr. Qin Huasun (China) (*interpretation from Chinese*): The Chinese delegation would like to thank the High Commissioner for Refugees for her briefing. We appreciate her contributions to the question of refugees.

The question of refugees has always been a salient problem in conflict areas and an important element in the settlement of conflicts. The High Commissioner's briefing shows that the massive flow and militarization of refugees have become serious destabilizing elements in Africa, especially in the Great Lakes region. The return and settlement of refugees are also keys to lasting peace and stability in post-war Bosnia.

Solving the refugee question requires us to settle not only the immediate problems, but also to tackle its root causes. While providing humanitarian assistance to conflict regions, helping to protect refugees and arranging for their voluntary repatriation and resettlement, the international community must also seek at a deeper level the sources of regional conflicts and humanitarian crises. It should strive to eradicate the root causes of the refugee problem by encouraging national unity, increasing mutual trust, promoting economic development and safeguarding the stability of the countries affected.

At the same time, we should take care not to politicize the question of refugees, which would hinder the settlement of the question. Terrorist forces in some regions, in order to achieve their political aims, obstruct the return of refugees, take them hostage by force, and extend, exacerbate and prolong humanitarian crises. Such an approach is deeply inhumane. The international community should understand this phenomenon clearly.

The settlement of the question of refugees and the provision of humanitarian assistance to them are the collective responsibility of the international community. UNHCR, the International Committee of the Red Cross and other international humanitarian organizations have long worked tirelessly to that end. Many international humanitarian workers have laboured in the most difficult and dangerous circumstances, making tremendous efforts and even laying down their lives. I take this opportunity to pay them our respects and express our condolences. The Chinese delegation supports the Department of Humanitarian Affairs and UNHCR for their ongoing leading role.

Mr. Dahlgren (Sweden): We welcome this briefing as part of a regular exchange of views between the Security Council and the Office of the United Nations High Commissioner for Refugees (UNHCR). My delegation also welcomes the format of this briefing and I want to thank you, Sir, for arranging it. We hope that this can also be a regular feature of the future work of the Council.

Let me at the outset not only thank Mrs. Ogata for her comprehensive briefing, but also, on behalf of my Government, extend a strong tribute to her and to all those who work in the organization that she leads, not only for their immense efforts in the field all over the world, but also for the forward-looking ideas and suggestions that she has put forward here today to us.

The Security Council lately has devoted increasing attention to refugee protection in a thematic manner. Two examples of that are the follow-up to the Secretary-General's report on Africa and his report on protection for humanitarian assistance, with largely, I would say, overlapping recommendations and conclusions. My delegation particularly appreciated Mrs. Ogata's comments on the work to develop a range of options to create secure environments for civilians endangered by conflict, as well as what she said on the role of the Security Council, UNHCR and other actors in the most serious situations when security problems escalate.

The members of the Security Council are right now negotiating a draft resolution on the security of refugee camps and settlements as part of our follow-up to the Secretary-General's report on Africa. We would hope that the outcome of these and other discussions that we are having on the follow-up to the report would be to make the Council and other parts of the United Nations system better prepared to deal with difficult security issues in crisis situations. I hope that the High Commissioner will continue to keep the Security Council informed on refugee issues raising security concerns.

One question that I would like to address to Mrs. Ogata is how she feels that one could bridge the gap, as it were, between the traditional UNHCR mandate and the Council's responsibility for international peace and security, in order to make the lateral options reality. Is there a need for new mechanisms for cooperation or for a better use of existing ones? It will be interesting to hear her comments on that.

If we have time, it will also be interesting to hear the High Commissioner elaborate somewhat further on how she assesses prospects for minority repatriation in Bosnia and Croatia in 1999. The question we ask is, of course, whether the major UNHCR effort in Kosovo will affect engagement in Bosnia and Herzegovina financially and otherwise.

Mr. Satoh (Japan): First, I would like to express our deep appreciation for the efforts of Mrs. Ogata and the staff of the Office of the United Nations High Commissioner for Refugees (UNHCR) in tackling these very difficult — increasingly difficult — issues. If I may say so, as a fellow countryman, she is a source of pride to us.

We have to face the reality of this issue. I share Mrs. Ogata's assessment and her concern, and I want to endorse what she said. I am glad that she touched upon the question of the insecurity of staff, which is a very important issue. We need to pursue further how to turn it from a question of insecurity into a question of security. I would particularly like to underline the fact that the question of the security of staff working for UNHCR or in other humanitarian activities could have a far-reaching effect; since they are mixed with other victims of war, refugees or displaced people, their protection could eventually also work to protect the other people. Therefore, this is a matter which we should pursue more robustly in the coming years.

I was encouraged that Mrs. Ogata focused on African matters, because Africa is yet another hot spot with regard to refugee questions. She talked about the need for a regional approach to a comprehensive framework for Central Africa. The dilemma for us is that the political support is lacking. My question is: Has she any suggestions, based upon her own experience in the field, on how to arouse anew political support for this sort of regional approach in Africa?

Mr. Monteiro (Portugal): My delegation joins the delegations that have already spoken in congratulating you, Mr. President, on convening this meeting. I must recall that it is a consequence of a movement initiated a long time ago by, I think, all members of the Security Council. But I would like to pay tribute to five countries which are no longer members and which started a movement last year, with other members of the Council, to make some proposals on the Council's working methods. One proposal concerned the possibility of public meetings, and we are very happy that it has been implemented. The countries no longer on the Council that signed the relevant document last year were Egypt, Chile, Guinea-Bissau, the Republic of Korea and Poland. We should pay tribute to them.

It is not only a question of transparency. As a matter of fact, it is a question of better participation of all the membership and of all of us working together towards the same goals. This is why the Security Council is involved in this question.

I must pay tribute to you, Mrs. Ogata. You started practical steps that led us to this session today. We heard you last year in informal consultations, following which we had a presidential statement on the matter for the first time. There was another presidential statement this year after we had heard your suggestions and comments. These statements that we adopted — and I think sometimes we have to work in a more systematic way — contain some ideas regarding protection of United Nations personnel and other international personnel. For instance, in both statements we recalled the Convention on the Safety of United Nations and Associated Personnel, adopted by the General Assembly in December 1994, which has not yet been ratified. I would like to profit from your presence, Mrs. Ogata, by asking whether you think that, even with its shortcomings, people would like this Convention to have an enlarged scope, and whether we could do something to ratify it. Can you do something to help implement what we have already said twice in our presidential statements?

This is also mentioned in the report of the Secretary-General on protection for humanitarian assistance to refugees and others in conflict situations, where we see a certain number of recommendations that are very useful, some of which you have addressed today. I am very encouraged to see that some of these recommendations are already being translated into practical measures. That is why my delegation welcomes so much your contribution today and the idea that we are not working in theoretical terms; we are doing something concrete.

I have no comments on what you said, Mrs. Ogata, but seek some clarification. I do not need clarification on Kosovo; you were very explicit on that. But clarification is necessary with regard to the political support that you receive for Kosovo compared with the lack of political support for other situations — you mentioned Afghanistan and Sudan. There are movements, even in the United Nations, regarding these two situations, which are very dangerous, and there are groups of countries and even directors of non-governmental organizations in the international arena working on them, and I would like to hear what you think it is possible for this Council and this Organization to do; it has been recalled that the General Assembly has the primary responsibility here. But we are all involved, including the Economic and Social Council. What could be done to give the same or more consistent political support to these two cases that you have mentioned?

You mention a number of matters with regard to Africa. We all know that Congo is central — the Democratic Republic of the Congo and Rwanda. These are all the problems of refugees, internally displaced people and forced population movements that you mentioned. One you pointed to that worried us so much in the past, in addition to demobilization and the reintegration of ex-combatants, is the flow of arms. Another is the separation of refugees from other entities that sometimes use the refugee camps for other activities. Are we doing something concrete about these questions? Is UNHCR involved and doing something practical?

This point is mentioned in the report of the Secretary-General, and addressed as well in the draft resolution we are preparing on the security and humanitarian and civilian character of refugee camps and settlements. I very much hope the Council will be able to adopt that draft resolution next week.

You mentioned three areas where all of us have to work together. We have already mentioned the complexity of wars and the fragility of peace. Your point that we should look at the human displacement factor is also very important. I think we can do something only if we look at the rights of the human being, at human rights.

There is another central problem, one I know you are very concerned with, as you yourself have already told this Council on previous occasions; I would like to ask you about the question of coordination between your own Office and the Office of the United Nations High

Commissioner for Human Rights. Are they working together? Is the coordination working? I will return to the question of coordination with regard to the third area you mentioned.

In the second area, you mentioned "soft" options and "medium" options. I exclude the fourth option, mentioned by Ambassador Lavrov, but you mentioned three other options and very much recommended the adoption of "medium" options. I agree with you on that. My country, for example, is very much in favour of the creation of a rapid deployment force to be used, if necessary, to help secure a certain kind of critical situation. But are we working towards creating that? I know that you are probably suggesting it, and in the draft resolution we are preparing we have something relating to stand-by arrangements on this. I know you work very closely with the Department of Peacekeeping Operations and Member States on these draft resolutions, but do you think that we can and should really move more quickly in this area?

You mentioned the link to subregional peacekeeping, and this is very important. For instance, you mentioned the situation in Guinea-Bissau. Is your Office already preparing something for the new phase? We have an agreement, we have a subregional effort by the Economic Community of West African States (ECOWAS) Monitoring Group (ECOMOG), and are we already preparing something concrete to help this operation? I know you are making an enormous effort in Sierra Leone. In regard to your point about the necessity of dialogue and national reconciliation: we have that in Guinea-Bissau. Are we therefore doing something on this question in concrete terms?

Finally, regarding post-conflict situations and the return of refugees, this is often a factor that complicates situations. That is why I think coordination is so important, coordination among all the bodies and departments of the United Nations and with other international actors, as well.

Here I would like to ask you one thing. I know amnesty is very important as an element of confidence-building, and I believe that is what is being prepared in Kosovo. On the other hand, the rule of law should guarantee that situations cannot happen again, that people and leaders are accountable for their own acts. I know you are very much in favour of the International Criminal Court, and I would like to know if we are working in that sense. Because I think this is very important; human security is the only way of guaranteeing stability and peace. Therefore, I would like to know what, in these more critical situations, you are doing in that sense. I would appreciate it if you could give us more details.

Mr. Buallay (Bahrain) (*interpretation from Arabic*): My delegation would like to thank you, Sir, for organizing and presiding over this open meeting, thus enabling us to hold a public debate. This clearly demonstrates that you are interested in holding meetings which are transparent, as has been advocated by numerous delegations. We are therefore grateful to you for having made that effort.

My delegation would like to speak about the humanitarian agencies. We in no way wish to diminish the importance of the refugees. In fact, what we see is enhanced interest in the refugees. Given all the tragedies and tragic situations which we hear about concerning refugees, we know that the actions of the humanitarian agencies that are trying to bring humanitarian assistance to the refugees are no less important than the refugees themselves.

My country feels that by assuring the security of these agencies and providing them proper conditions for work, we are attaching the same level of importance to them as to the refugees themselves. Indeed, how can humanitarian assistance be delivered if there is no conducive environment for delivering it through these agencies? Numerous kidnappings, killings and incidents of blackmail have targeted those responsible for the delivery of humanitarian assistance.

As we take up these problems today, and with my delegation's full appreciation for the tireless work she is doing for the refugees, we would like to ask Mrs. Ogata whether there are sufficient assurances for the protection of humanitarian agencies as they deliver humanitarian assistance to refugees. And if such guarantees exist, have they been legally codified?

We know that the General Assembly adopted resolution 52/167 on 16 December 1997 to this end, but is that sufficient? Moreover, if such safeguards or assurances are being provided, do they indeed take shape in reality, in the field where the humanitarian agencies are functioning in conflict areas? Are security guarantees provided to these agencies in the field?

Those are my delegation's concerns regarding the humanitarian agencies that are working to deliver humanitarian assistance to refugees, and I reiterate that

this issue is no less important than the question of the refugees themselves.

Mr. Sáenz Biolley (Costa Rica) (*interpretation from Spanish*): We, too, are very pleased to see that under your leadership, Mr. President, the Council is holding this open debate today to hear the briefing presented by the United Nations High Commissioner for Refugees, Mrs. Ogata, to all the Members of the Organization.

We believe that today's open meeting is a pioneering step in what has been indicated as the right direction, the direction of transparency and democratization of the Security Council. Costa Rica trusts that this could become a definitive precedent for the customary proceedings of the Council so that all reports and briefings by the Secretariat and by specialized agencies and agencies involved in matters of international peace and security would be presented to the Council in this manner.

In accordance with decisions taken in informal consultations, we made a list of concerns and questions for Mrs. Ogata. However, many of them have already been covered in her initial statement. We should therefore like to make some general comments and focus on particular points.

We attach great importance to what Mrs. Ogata said about the political support and pressure needed in order to resolve conflicts that violate international peace and security. Frankly, discrimination or focusing on certain issues at the expense of others is not acceptable to us. We believe that even-handed, but constant, pressure is necessary wherever there is conflict.

With regard to the situation in Kosovo in the Federal Republic of Yugoslavia, Mrs. Ogata referred to the need for certain political and legal actions and steps that could help consolidate the humanitarian situation of the civilian population affected by the conflict. We take note of the possibility of an amnesty, which we consider to be interesting and useful. It should be seriously considered by those involved as part of an effort to strengthen the humanitarian situation. It seems to us that an amnesty would be a good step to take, but we also believe that other concrete actions should be taken to promote respect for the legal order and the rule of law. Above all, we believe that such measures must not used to perpetuate impunity with respect to violations of human rights committed in the past.

I should also like to refer to the general situation with regard to refugee camps, a matter with particular impact in the African regions affected by armed conflict. Costa Rica attaches the greatest importance to the security situation in those camps. As we all know, it not only affects the conditions in which humanitarian assistance is delivered, but represents a real threat to the people living in the camps. We would like to know the High Commissioner's thinking about that situation, and in particular her view on the effectiveness of existing measures to guarantee, for example, the separation of civilians and combatants, which is a key element.

With regard to my earlier comments about the need to clear sufficient space to allow for political pressure leading to conflict resolution, it seems to us that it is necessary to continue the political measures that have been carried out in the Democratic Republic of the Congo with a view to rapidly arriving at a ceasefire. We are concerned that the present concentration on achieving a ceasefire might relegate humanitarian issues to second place. We would also like to stress the urgent need to discuss and agree quickly on arrangements with regard to the humanitarian situation in that country.

We have always emphasized the need for innovative solutions and novel mechanisms with regard to the humanitarian situation and, as we have said, the security situation in the refugee camps. We have, for example, emphasized that the precedent provided by the Tripartite Commission in Burundi and Tanzania is a step in the right direction. We would like to know whether Mrs. Ogata has a new assessment of the evolution of the work of that Commission and, above all, whether there is a possibility of such arrangements being applied in other regions where there are conflict situations with humanitarian consequences.

In conclusion, we would also like to refer to the future measures envisioned by Mrs. Ogata. In particular, we would like to emphasize the issue of multidisciplinary peacekeeping operations. We believe that that represents an important achievement in the doctrine and practice of the United Nations, in large measure — as was said earlier — inspired by concepts which the High Commissioner has constantly brought to the attention of the Security Council. Of course, we feel that humanitarian assistance is a crucial element in broadening United Nations peacekeeping operations. However, we would like to underscore that we believe the major lesson to be drawn is that, given the complexity of conflict situations, the disciplinary scope and the nature of such operations should be further broadened to cover other relevant areas in relation to peace-building, as

Mrs. Ogata said. We would like to make that clear and to learn the opinion of the High Commissioner about that process of broadening the multidisciplinary nature of peacekeeping operations.

Mr. Jagne (Gambia): My delegation is grateful to Mrs. Ogata for her comprehensive briefing on a subject of particular concern and interest to the international community: the perennial problem of the plight of refugees. We are particularly delighted to note that the Office of the United Nations High Commissioner for Refugees (UNHCR) has established closer ties with the Economic Community of West African States (ECOWAS), as far as the West African subregion is concerned.

As the High Commissioner has rightly pointed out, West Africa has had its fair share of conflicts, but, with the great regional efforts deployed so far, peace is gradually being restored to the region. It goes without saying, however, that as we have limited resources we will need the support of the rest of the international community to complement our own efforts. The most recent example is the recent signing in Abuja of the agreement between the Government of Guinea-Bissau and the self-proclaimed military junta which, *inter alia*, guarantees free access to humanitarian organizations and agencies to reach the affected civilian population. That is very commendable indeed; it is the way it should be, for no degree of political expedience is worth the sacrifice of human lives in a ruthless and inconsiderate manner, such as the denial of access to humanitarian assistance.

We hope that the rest of the international community will heed our appeal so that the momentum generated is maintained for the consolidation of the peace process in all the countries that Mrs. Ogata mentioned in her briefing this morning.

Mr. Eldon (United Kingdom): Thank you, Mr. President, for taking the initiative in calling this meeting. The efficacy of the format is, I believe, amply demonstrated by the stimulating, interesting and very useful briefing that Mrs. Ogata has given, and I should like to pay a considerable tribute to her. Like others, we hope that we will be able to use this format again in the future.

Time is short, and I would like to concentrate very much on questions rather than statements. But one point I should like to make of a rather more general nature is that in managing crises, whether of a humanitarian, political or security nature, it is vital to have a regular flow of reliable information. That is as true of humanitarian crises in Africa as it is in other areas. We are very pleased that briefings in Geneva of donors on the subject of the Great Lakes by the Office of the United Nations High Commissioner for Refugees (UNHCR) will now take place every fortnight. We appreciate the amount of information now available on that region. We hope that more can be made available on the refugee situation in West Africa.

In the context of maintaining the civilian and humanitarian nature of refugee camps, the Secretary-General's report on Africa referred to a UNHCR initiative addressing security issues among Burundian refugees in Tanzania. We would be very grateful for more information on the progress of what seems to have been an extremely valuable initiative. We would be interested to hear from the High Commissioner what lessons were learned, and whether she feels they can be applied elsewhere. We would also be interested to hear what other steps UNHCR is contemplating in follow-up to the Secretary-General's report.

On the former Yugoslavia, UNHCR's performance in Kosovo will be a further, and very important, test of the agency's ability to deliver. Our own initial reports, borne out by Mrs. Ogata's briefing, indicate that it is tackling the job well in very difficult circumstances. We would be particularly interested to hear further information on when the conditions are likely to be right for the refugees to return. How many internally displaced persons are there now, and in what conditions are they living? Is the High Commissioner satisfied with the arrangements in place in Kosovo for protecting UNHCR staff against various security threats such as landmines?

But, as others have indicated, Kosovo is not the whole story in the former Yugoslavia. We would also be interested in Mrs. Ogata's assessment of minority returns to Bosnia. We note that Mr. Carlos Westendorp, the High Representative for implementation of the Peace Agreement on Bosnia and Herzegovina, has said that 120,000 returns are possible in 1999, as opposed to between 35,000 and 40,000 for this year. Is this figure realistic, and is UNHCR content that it has the resources to protect such a large number of returnees?

I shall leave it there, with many thanks to you, Mr. President, and to Mrs. Ogata.

Mr. Türk (Slovenia): Let me first express our gratitude to you, Mr. President, for having convened this briefing in the form of an open meeting and for having

given us the opportunity to listen to the very important and penetrating analysis provided by Mrs. Ogata. I would like to thank Mrs. Ogata for her excellent briefing and for the wealth of information she provided us. Moreover, I would like to commend her and her colleagues for the work they have done in difficult circumstances in many parts of the world, in a situation that she described in her briefing as one in which decisive international involvement in conflict resolution is not the norm. I would like to add that the tendency to substitute humanitarian work — or humanitarian discussions — for political action is still a serious problem.

Mrs. Ogata has provided us not only with a wealth of information but also with a wealth of ideas. I think that one central message of her briefing is particularly important for the Security Council. She said that cooperation by Governments with the Office of the United Nations High Commissioner for Refugees (UNHCR) is of particular importance, along with cooperation among Governments in the efforts to solve humanitarian problems and the problems of refugees.

Our Government is very well aware of the central importance of the cooperation of Governments in these efforts. A specific expression of that is Slovenia's activity in demining in Bosnia and Herzegovina. We see tasks in the field of demining as central to creating the conditions for the return of refugees in Bosnia. This is a priority to which we would like to devote our energies, and we hope that the effort will be successful.

Certainly, the idea of cooperation by States has many applications. At the preventive stage, the role of the Security Council is indispensable. During times of outflows of refugees, guarantees of security in refugee camps are of primary importance; we note with particular interest the points made by Mrs. Ogata concerning the so-called medium alternatives: the provision of police and other personnel for guaranteeing security in refugee camps. Then, at the stage of post-conflict peace-building, there is a variety of complex tasks.

I would like to add one thought to this central idea of international cooperation, which is essential for the success of assistance to refugees and for the return of refugees. There are situations — and we have seen one very recently — where resolute political action is the most important part of cooperation: resolute political action to ensure respect for Security Council resolutions, to stop attacks against civilian populations, to remove the fear existing in the affected areas, and thus to create conditions for the return of refugees and displaced persons. This may be the central, and the most important, form of cooperation needed in some circumstances. As the case of Kosovo has shown, this can happen; and when it happens, it can happen in accordance with the Charter of the United Nations.

Those were general comments I wanted to make. I would like to conclude by asking a specific question. In her briefing, Mrs. Ogata referred to the situation in the Great Lakes region, and especially to the Burundian refugees in Tanzania. She mentioned the figure of 260,000 Burundian refugees in Tanzania, and said that there was a growing mixture of refugee flows, internal displacement and repatriation movements. We learned from previous briefings by Mrs. Ogata that the tripartite cooperation among Rwanda, Burundi and Tanzania has been a moderately successful experience. We would like to learn more about it; maybe Mrs. Ogata could share her views on this matter as it stands today. This would certainly help the Security Council as it tries to deal with the situation in the Great Lakes region: a situation that is fraught with danger.

Mr. Mahugu (Kenya): I would like to thank you, Mr. President, for having organized this briefing for us to listen to Mrs. Ogata on this very important issue. I also welcome the new format of holding Council consultations in this transparent manner.

I wish to register my delegation's support for the invaluable assistance that the Office of the United Nations High Commissioner for Refugees (UNHCR) continues to give to refugees and displaced persons. Today, the nature of conflicts has changed. More and more, we are witnessing innocent civilians and humanitarian personnel becoming the targets of armed conflict, as warring parties seek to deliberately use attacks for political and military objectives. In addition, in recent years we have witnessed the alarming emergence of armed elements in refugee camps. In these situations, there is a culture of impunity that the international community needs to address, a point that speakers before me have mentioned.

Let me cite some specific cases. In the conflict in Kosovo, for example, civilians became the target. As a result, the destruction that the conflict left behind has a great adverse effect on civilians. This is reflected in the estimated cumulative displacement of over 200,000 persons at the height of the conflict. In addition, an estimated 50,000 persons were forced from their homes into the woods and mountains. In addition, humanitarian

organizations were not able to deliver assistance to these needy people because of the lack of security brought about by the nature of the conflict.

Turning to my own continent, Africa, given our limited resources, my delegation urges the international community to participate more actively in burden-sharing in areas such as appropriate capacity-building activities, training and advisory services to accelerate the enactment and implementation of legislation relating to refugees. Organizations such as UNHCR, the United Nations Children's Fund, the Office of the United Nations High Commissioner for Human Rights and the International Committee of the Red Cross are faced with enormous challenges in their humanitarian activities. The Security Council can play an important role in helping address these challenges. Based on the experience of lessons learned from recent conflict situations, the Council can provide an important lead in the protection of refugees and others in conflict. In this regard, I would like to acknowledge UNHCR for its ongoing programmes aimed at assisting host countries such as Kenya and Tanzania, as we have heard from the High Commissioner.

With regard to the presence of armed elements in refugee camps, my delegation would like to inquire of Mrs. Ogata what measures are being taken, first, to ensure the protection of bona fide refugees; and secondly, to ensure that assistance meant for bona fide refugees benefits them and not armed elements?

Finally, to conclude, I think it is worth recalling today the open debate the Council convened in September on protection for humanitarian assistance to refugees and others in conflict situations and, indeed, the report of the Secretary-General submitted to the Council for that meeting. I hope that all those who have a role to play in addressing this important problem will begin to implement the recommendations contained in that report, which I thought were very appropriate and relevant to the problem we are dealing with today.

Mr. Dejammet (France) (*interpretation from French*): I thank you, Mr. President, for having taken the initiative to organize this most timely debate.

I would like to thank Mrs. Ogata for having referred to Mr. Cochetel at the very outset of her intervention. Mr. Cochetel, a high-ranking official of the Office of the United Nations High Commissioner for Refugees (UNHCR), is also our compatriot and has now been held hostage for several months. It seems to me that this case unfortunately illustrates the dangers which the staff of UNHCR are actually subject to on a daily basis. This does them honour, but at the same time it emphasizes the seriousness of the problem of protection for humanitarian assistance, which is a subject on which many members of the Council have already spoken.

In that spirit, and bearing in mind situations in which this problem of protecting humanitarian assistance and the staff of UNHCR arises or has arisen or will arise, I would like to recall two specific situations, namely, Kosovo and the Great Lakes region.

With regard to Kosovo, I would like to ask Mrs. Ogata whether, from her point of view, the arrangements which have been contemplated or which are being implemented for the protection of international staff who will be active in Kosovo seem appropriate to her; in other words, can UNHCR comment on the measures taken to cope with situations such as that which led to Mr. Cochetel's being taken hostage or that, fresh in our memory, which took place recently in Bosnia?

That is what I wish to say regarding Kosovo. On the other subjects, we are convinced that UNHCR will act effectively to try to facilitate the return of refugees and their re-establishment under the least awful conditions possible.

With regard to the Great Lakes region, I also believe that the problem of protecting humanitarian assistance is a vital subject. I would like to know Mrs. Ogata's view — even if only considering history, recent history — of the fact that the Security Council, after having planned for the protection of humanitarian assistance in Kivu in November 1996, finally gave up trying to assure the deployment of a multinational force. I know that this is a somewhat political issue, but, in the light of past experience and the information we subsequently received, I would like to know whether Mrs. Ogata believes that this was a good or, as we ourselves believe, a bad decision on the part of the members of the Security Council?

At the present stage, I would also like to know — again with regard to the Great Lakes region and particularly Kivu — what the High Commissioner's feelings are regarding the humanitarian situation in the Kivu area; the extent to which UNHCR believes it can make its presence known once again in a region which is clearly experiencing the problems associated with forced displacement; and in what form and with what possible

protection can UNHCR play its necessary role in this region of the world?

Other questions arise with regard to other regions where the problem of protection is perhaps a bit less pressing, for instance, in areas where there is a great number of refugees. UNHCR is attempting to cope with the problem of the survival of those refugees in a most outstanding manner. However, given the lack of political settlements, to what extent is the action of UNHCR not in fact an excuse in the absence, or rather the inability of the Security Council or the members of the international community to try to settle underlying issues? I am thinking here of the considerable number of refugees still in Conakry, Guinea — I believe the figure is 350,000 — and of those still in Tanzania.

The question is this: with all the practical knowledge that you and your colleagues have about the problems which exist in refugee camps and your knowledge of the wishes and desires of the refugees, are you in a position to share with the members of the Security Council, as well as with the leaders of those regions, your concerns, or perhaps outlines, for a solution to those problems? I am thinking once again, for example, in terms of the Great Lakes region and the refugees who are still there and the misgivings they may still have which prevent them from returning to their native lands. Are you in a position to make known to the leaders of the countries of origin of these refugees what proposals might allow for national reconciliation to facilitate their return? Or do you believe that this is not the role of UNHCR and that you can share your concerns with the local leaders and with the Security Council but that you need to cope with the daily survival problems of these refugees as a matter of priority and cannot beyond that play the political role which perhaps some would devolve upon you?

Finally, my last question is really more of an observation. I noted in your intervention that you also foresee drawing up plans for future cases of humanitarian tragedies. You mentioned the case of the Middle East. As my last question I would like to know whether those plans are still relevant; that is to say, whether you still have plans regarding potential refugee flows if drastic crises were soon to affect the region of the Middle East?

Mr. Dangue Réwaka (Gabon) (*interpretation from French*): Mr. President, we too welcome your felicitous initiative in convening this meeting on a very important issue that is of concern to the international community: the question of refugees and others in conflict situations. We pay tribute to Mrs. Sadako Ogata and to her staff for their tireless efforts to alleviate the suffering of that category of persons and make their conditions of life less difficult. It is for that reason that Mrs. Ogata can count on the unconditional support of the Government of Gabon.

I shall be brief. In the framework of the ad hoc working group established by the Security Council following consideration of the Secretary-General's report on the causes of conflict in Africa, we have already adopted a number of resolutions and presidential statements. We are currently working on others, in particular a draft resolution on the protection of refugees in camps and which — as you yourself, Mr. President, have planned — we will adopt on 18 November. That draft covers the elements mentioned by Mrs. Ogata and will contribute to ensuring security in the refugee camps.

Last year, when Mrs. Ogata met with the African Group, she told us about the consultations she had had with African leaders aimed at organizing an international meeting similar to the ones held on the question of refugees in 1991 in Central America and, I think, in 1996 in the Commonwealth of Independent States. What is the current status of that project? We would also like to know what kind of difficulties she is encountering in organizing such a meeting, because we believe that in the context of Africa this is definitely a complex problem, but especially because at present most of the refugee flows in Africa are due to internal conflicts. While there are some intra-State conflicts, the majority are internal conflicts.

Perhaps — and here I refer to a proposal that has been endorsed by the Council in the case of the Great Lakes, for example — international efforts should be deployed to hold a conference to examine questions that have implications for these refugee flows. We said as much on 29 September when, in this very Chamber, we considered that matter. We believe that conflict resolution is at the centre of the problem of refugees in conflict situations, and are thus in full agreement with the analysis that Mrs. Ogata has just shared with us.

This is what we have consistently told the Council so that we might be able to alleviate the suffering of such persons, particularly in Africa and in the Great Lakes region. It is truly disconcerting to think of persons, abandoned to their own fate in the vast virgin forests covering that area, falling prey to wild beasts. It is a truly a horrible situation, and it is for this reason that we

continue to insist that pressure be brought to bear on the conflicting parties by those who have the means to do so to prevent innocent people, particularly women and children, from suffering. Many children cannot even go to school to obtain an education. It is no secret that people who have not been schooled in new agricultural cultivation techniques to grow food will be hard-pressed to do that work.

We will limit our comments to this issue.

The President: In the light of the time constraints, I am going to forgo asking questions or making comments in my national capacity.

I now give the floor to High Commissioner Ogata and invite her to respond to any questions or comments she chooses.

Mrs. Ogata (United Nations High Commissioner for Refugees): I appreciate very much the varied and very in-depth comments that were made by the members of the Security Council, and I should just like to respond to the questions that were directed to me. However, the questions too are very varied, and I do not know whether I can do justice to the very important issues that were raised, but I shall do my very best.

First, there was a series of questions about the modalities of military intervention. I think the particular modalities of military intervention that are chosen are really up to the Security Council and to the political leaders of the various countries. I am not in a position to say, "I like this intervention better than the others". At the same time, what I could ask is to please think of the humanitarian consequences of particular modes of intervention.

I think that I am also in a position to say that, whether an intervention is being carried out unilaterally, multilaterally or through the Security Council, there are always consequences on human movement or displacement. In this area, I should like to make a strong plea for that aspect to be kept in mind in choosing the various modalities of intervention. Sometimes interventions are necessary in order to push the political negotiations, and that I accept. At the same time, the cost also has to be considered.

Why do I now try to work with the Secretary-General and the Department of Peacekeeping Operations on the ladder of options? Because I think there has to be a better preventive measure that would simplify or prevent unnecessarily complicated and prolonged processes of human displacement. We learned this bitterly in many parts of the world, but especially recently in the Great Lakes region of Africa, where there was a mix of people in the refugee camps — innocent refugees with armed elements. We did our very best to try to separate them, but we could not manage to do so. I think this is a point that has been widely recognized by the Governments in the region as well. The separation of mixed people in refugee camps is a very important starting point, because we must maintain the neutrality and the civilian character of refugee camps if the refugees are to be protected. This is a starting point for our very serious enquiry.

I think this has been given a lot of attention. I have support from the Governments in the region for the idea that this kind of mechanism has to be addressed and to be put into practice. Also, I think that the Economic Community of West African States Monitoring Group (ECOMOG) in its consultations is looking into this, and the Southern African Development Community countries are also examining it. I think this is an area that might help prevent further complications of the kind that we saw in the Great Lakes region of Africa. If the separation had taken place earlier, I think some of the conflicts that followed in the region might have been, if not contained, considerably ameliorated. I think this is one thing that we have been working on as a preventive measure.

The delegate of Costa Rica asked if the existing mechanisms were not sufficient. There are none. There is an ad hoc arrangement based on political and strategic possibilities, but I think there may be some things that can be put in place so that at least we know where to turn when the chips are down.

I think in connection with these issues questions were also raised about why more innovative, comprehensive approaches are not employed. There have been many. I would say the approach of the International Conference on Central American Refugees (CIREFCA) was very innovative. It took longer, maybe, than we had wanted. But it was an attempt to promote refugee return, peacemaking and then development. This comprehensive approach could still serve as a good lesson if we try to look into the mechanisms that supported it. Maybe it will prove a quicker way of approaching some of the complex refugee problems.

What I wanted to raise in connection with the Sudan and Afghanistan is that these are situations that have continued intermittently for more than 20 years — 25

years in the case of the Sudan. I think there must be more room for efforts to make people suffer less and for a shorter period. This is what I am trying to encourage.

I do not have any ingredients for a comprehensive approach, but I think some of the directions that the United Nations and the concerned countries are taking may be moving in the right direction. But these are the points that I wanted very much to raise in connection with the importance of intervention, standby mechanisms and comprehensive approaches.

There was a question about how to arouse more political interest in Africa. That is a very big question. I think Ambassador Satoh asked this question. I think he was very much influenced by the experience of the Second Tokyo International Conference on African Development (TICAD II), which I would say was a development conference regarding Africa — a conference that, in its agenda, for the first time gave formal attention to the importance of governance and conflict prevention and resolution as a precondition to really launching development. I think this may be a very realistic approach that may exert some pressure for considering development in a different manner, not as if everything were certain and development could proceed along a peaceful path. Not only in Africa but in many places the lack of development is caused by a substantial lack of governance and by the need for conflict prevention and resolution.

In this sense TICAD II is a very important starting point. It would certainly link our refugee-protection and refugee-return efforts with the developmental process. I would very much welcome an examination along those lines as well.

Regarding the question of what is happening in Kivu today: recently there was a mission headed by the Office for Coordination of Humanitarian Affairs in New York, in which we also participated, at the request of the people concerned in Kivu. We were asked to go and look into the humanitarian conditions. There is no doubt that there are tens of thousands of displaced people who could turn into refugees if they were allowed to cross borders. But currently the access is very difficult. I think that whether vigorous humanitarian assistance can be provided to this region will depend a lot on how the conflicts there are resolved. I think questions of ethnicity and nationality are relevant. And in Kivu the role of the flow of arms in contributing to displacement should not be overlooked.

The Ambassador of France has asked me a very difficult question: was it good or bad that the multinational force was not deployed in 1996? All I can say is that it was an enormous disappointment for us, and that if there had been an active intervention at that time, maybe a lot of lives could have been saved. But these are the lessons that I think that the Security Council is in a position to learn, because there are all sorts of other pros and cons relating to these kinds of decisions.

What can the Office of the United Nations High Commissioner for Refugees do today in the Democratic Republic of the Congo and in the Great Lakes region besides trying to help human beings survive? That is a very tall order that we have: to try to help human beings survive, and the bottom line is that we have to help people survive. I think this is the bitter lesson we learned: we cannot return people to ideal conditions. But even if the conditions are less than ideal, we can help people survive, and they may be able to make a second choice later, when conditions improve. This is the reality that we must deal with.

I personally would not be able to play a political role, but I think that from the point of view of helping people survive, I can raise issues and bring them to the Council's attention. This is what I am very much hoping to be able to do. There are other humanitarian organizations, non-governmental organizations, that are dealing with these problems. The thing we can do is bring the reality of the fragility of peace and also the suffering of the people to the Council's attention so that it can make realistic decisions, taking into consideration the fate of the people.

The representative of Gabon asked what we are doing about conferences. I think the Central American lesson — CIREFCA — was an important one. I think the 1996 effort of the Commonwealth of Independent States (CIS) countries was also a realistic attempt to stabilize population movement. Streamlining and strengthening the legal provisions with regard to protecting refugees, managing population control and providing emergency capacity to the CIS countries have been very positive undertakings.

With regard to the countries in Africa, and especially in the Great Lakes region, we were able to have a conference in Kampala in May this year. The representatives of eight countries, for the most part Ministers of the Interior, came. There were three areas that we agreed upon. The first was that it is important to

reinforce respect for refugee protection and humanitarian principles. The second point was that the refugees should not be a menace, undermining national security. Here again the issues of refugees and security are very much intertwined. The third point was to really help the countries. All the conference participants recognized that the peace they had attained was a very fragile peace. Fragile peace can be made less fragile given appropriate investment, attention and assistance to countries going through this process. Here I think the issue of post-conflict activities became very real, because in today's world, in many places where conflicts are internal, peace is no longer a certainty. I think that traditionally in inter-State conflict you either had peace or war, but today between war and peace is a very blurred situation. Naturally, then, you have to deal with a situation in which more direction towards peace can be assured. There, the questions of education, community-building efforts and working with development agencies become very important.

I believe the question of coordination was raised. I think multifaceted coordination is what is required here — first and foremost, between the humanitarian agencies and the development agencies. But for the humanitarian agencies and the development agencies to be really working together, and for one being able to hand over to the other, the need for flows of development assistance resources should be re-examined, too, because it is usually of an "either/or" nature. The resource flow goes through Governments. We cannot hand over our operations until, theoretically speaking, Governments are strong enough to benefit from development assistance. It does not really work that way today. Therefore, I think this "in-between period" of fragile peace does not really move in the direction of better development efforts and better peace in that sense. I think there is something here — and I do not know whether it is a primary responsibility of the Security Council, but it does have security implications — regarding how post-conflict situations are dealt with.

Going back to the question of how we can arouse public support for Africa, I believe conferences are very useful. I thought the Tokyo International Conference on African Development (TICAD) was a very good first step. Right now I do not know if I can repeat a Kampala II. We have maintained close working relations with all the countries in the Great Lakes region, but I doubt very much that in the current situation they would be willing to sit together for any kind of post-conflict peace conference. I hope very much that the actual conflict will be contained and lead to some kind of a peaceful arrangement, because the people there need it very much.

There were a few specific questions about amnesty versus justice. I think many times we do advocate amnesty for those who are not war criminals. Justice, I believe, has to be put in order; but, at the same time we must take into consideration those who, because of their situations — draft evasion, for instance — perhaps were placed in an incriminating position. There are a lot of situations where we think amnesty would help solve the problem of lack of confidence. For example, in Kosovo, we believe that those who fled should be given amnesty if they go back. Just because they fled they should not be considered to be criminals. This is the kind of thing that we are advocating.

We do coordinate with human rights observers and monitors, especially when they are in the field. We have to coordinate, and we very much hope that they will be actively on the ground in many places.

There were a few questions on the tripartite mechanism in Tanzania. The mechanism is there, and I think it provided a useful beginning in trying to promote the return of Burundi refugees from Tanzania back to Burundi. We had several meetings on this, but whether it could really turn into a mechanism that can arrange for repatriation would depend a great deal on the state of suspicion and conflict in the region. So, I would say it is a useful mechanism, and I want to keep it there. But it is not really solving the situation right now.

As for Tanzania, the things we were doing in trying to help the Tanzanians we have done to some extent in Kenya, too, in terms of enhancing local security. This is an attempt to ensure the civilian character of the refugee camps, and in Tanzania UNHCR, in close cooperation with the authorities, has put in place some security arrangements. That covers 278 policemen who patrol the refugee camps in the Kagera and Kigoma regions. We provide them with communications equipment, vehicles and accommodation facilities in the camp area. We are going to do some more training of these people. We are now assessing how far we have come and seeing whether this kind of thing is useful or not.

There were a series of questions on Kosovo. If you ask me whether I am satisfied with the conditions of internally displaced persons — refugee conditions — I think they could be better; but if you ask me whether I am happier now than I was three weeks ago, I would say "yes". People are beginning to come back. They will stay home if they feel that there is a chance of having portions of their houses winterized, or that at least they

have shelter. If they feel that the police are not there to harass them and so on, they will come back. Many of them have come back. We estimate that most of the people are now back either in their villages or in their friends' or relatives' homes. Some 20,000 houses need to be rebuilt or repaired, but we are now carrying out a village-by-village survey in every municipality of Kosovo, so that we will know exactly how many houses can be repaired, how many have to be reconstructed, how many people are back and so forth. I hope we can share these results later this week.

I hope that the United Nations will be able to provide a helping hand on the landmine issue. There is the larger issue of whether Kosovo is not distracting attention from other parts of Bosnia, from Serbia — and I have a feeling it may be. We are trying very hard to maintain the importance of Bosnia, where minority return this year was below what we had expected. We welcome a high target for minority return next year: 120,000. If international will can be mobilized to make this possible, we will be the first ones to be pleased.

At the same time, the reasons for the slow return have been set out very clearly in our strategy paper that we presented to the Peace Implementation Council in the spring. Many political and administrative measures are required on the part of the Governments and the local people. Suspicion and the public attitude are very real issues that can be overcome with time and with sustained efforts. But this cannot be enforced. You cannot say, "You, return!" and think that people will return. We find ourselves between this reality and a very strong desire to see a more active return. I am very hopeful that this target of 120,000 will become a reality next year.

I believe that the one issue I should really address before ending is that of staff security. I am very grateful to the Permanent Representative of Bahrain for having raised this issue, for it is a very real one. Humanitarian workers have to be protected by conventions and by resolutions, but on the ground they have to protect themselves. I think the backing of the international community is important. They can refer to the resolutions and to the conventions, but in reality what happens is that they try to work with the local forces or authorities who are there to negotiate. These are checkpoints you go through by negotiation. This is the reality of all operations. We did it through Bosnia and through what was Zaire. We have done it in Kosovo, and we will have to continue doing it. However, I think the Convention on the Safety of United Nations and Associated Personnel, which is still awaiting ratification, should be ratified quickly. At least, it does show that the Government considers this an important issue.

Beyond that, I hope there will be other resolutions, strong resolutions, with implementing clauses to protect humanitarian workers. Humanitarian workers are of great concern to me, but they are the ones who are protecting the victims, too, and it should be looked at in that connection. Humanitarian workers are the ones who are at the forefront of helping the victims.

Perhaps the Council would like to go back to the original question about what kind of interventions at the military front it would provide. Short of that, however, humanitarian workers are the ones there and they are the ones who are suffering more casualties today than, I am afraid to say, some of the military people. I think it is my duty, on behalf of all my humanitarian colleagues, to raise this issue. Perhaps the Security Council or the General Assembly could put it on their own agendas. It should come out at the forefront of the United Nations concerns.

Preparedness, yes. We have preparedness everywhere in the world. We upgrade our preparedness if there is an imminent possibility of refugee outflow and we try to make sure our preparedness is up to date.

I do not know if I have satisfied the questions that were raised, but I will be happy to respond on an individual basis.

The President: I know I speak on behalf of my colleagues to thank you, Madam High Commissioner, for an extremely stimulating presentation and for a very thorough and comprehensive reaction to the comments and questions.

There are no further speakers on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 12.50 p.m.